

REMARKS

Claims 1 through 98 are pending in the present application.

Claims 1-7, 9, 10-26, 49, and 50-71 have been elected for prosecution. Claims 8, 27-48, and 72-99 have been withdrawn from consideration.

Claims 1-7 and 9 stand rejected under 35 U.S.C. § 112, second paragraph.

Claims 1-7, 9, 10-26, 49, 50-71 stand rejected under 35 U.S.C. § 103(a).

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 1 through 7 and 9 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. In particular, the Office alleges that “[i]t is unclear how the results are determined at the computer system which provide a list of option spreads.”

The undersigned respectfully submits that the proposed amendments address the Office’s objection.

Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Rejection Under 35 U.S.C. § 103(a)

Claims 1-7, 9, 10-26, 49, 50-71 stand rejected under 35 U.S.C. § 103(a). In particular, the Office alleges that the claims are unpatentable over AIQ systems (www.aiq.com) in view of an article titled “Track Data Announces Its AIQ Systems Division Released Its Option Analysis Software Product – OptionExpert Business Wire” (hereinafter “Options Expert” article).

Reconsideration is respectfully requested.

The Office argues that the Options Expert article indicates www.aiq.com is prior art. Even if were true that www.aiq.com were in the prior art, the Office has not established what functionality was available at www.aiq.com during the time that it was prior art. Web sites change over time. The Office has produced a document (the “AIQ document”) allegedly disclosing features of www.aiq.com. But it is not clear whether the features disclosed in the AIQ document were in the prior art.

Furthermore, even if solely for the sake of argument, one were to consider that AIQ document to be prior art, the document does not anticipate nor render obvious the claim language. For example, Applicants disclose the following:

It should be noted that, **with respect to all of the options and option spread strategies, the percentage returns are available as search parameters** in addition to the many other search parameters that are described in detail below. Accordingly, users can locate an option or option spread **based upon percentage return and evaluate the return in light of the investment risk as dictated by the other investment parameters**. Having the return data available is especially useful to investors in assessing the risk verses reward of an investment. (As-filed application at p. 27).

Consistent with this disclosure, amended claim 1 recites,

1. A computer-implemented method of processing financial instrument data to identify stock option spreads, comprising:
 - receiving by a computer system financial data from at least one data source;
 - processing within the computer system the financial data to derive values for a set of searchable parameters corresponding to stock option spreads;
 - receiving by the computer system user defined search criteria for searching the searchable parameters corresponding to the stock option spreads;
 - searching by the computer system the values derived for the set of searchable parameters for values having the user defined search criteria; and
 - formatting at the computer system results from searching, the formatting results comprising creating a list of option spreads having values for the set of searchable parameters that match the user defined search criteria,
- wherein processing within the computer system the financial data to derive values for a set of searchable parameters comprises calculating values for a plurality of searchable parameters including, but not limited to, percentage returns for a plurality of different option spreads, wherein receiving by the computer system user defined search criteria comprises receiving a plurality of user defined**

search criteria including, but not limited to, a value relating to percentage return, and
wherein searching by the computer system the values derived for the set of searchable parameters for values having the user defined criteria comprises searching for option spreads with a percentage return satisfying the value relating to percentage return.

Respectfully, the AIQ document does not disclose the above-emphasized claim language. In fact the Office acknowledges that “AIQ does not directly disclose processing the financial data to derive values for a set of searchable parameters.” Accordingly, the AIQ document does not disclose “**calculating values for a plurality of searchable parameters including, but not limited to, percentage returns for a plurality of different option spreads.**” Likewise it does not disclose “**receiving a plurality of user defined search criteria including, but not limited to, a value relating to percentage return,**” and “**searching for option spreads with a percentage return satisfying the value relating to percentage return.**”

The Office argues that the AIQ document discloses that “real-time dynamic prices are made available.” This comment is made in the context of information that is returned in a listing of options. Presenting “real-time dynamic prices” with a listing of options is not the same as “**calculating values for a plurality of searchable parameters including, but not limited to, percentage returns for a plurality of different option spreads.**” Likewise, it is not the same as or similar to “**receiving a plurality of user defined search criteria including, but not limited to, a value relating to percentage return,**” and “**searching for option spreads with a percentage return satisfying the value relating to percentage return.**”

Therefore, even if it is considered to be prior art, www.aiq.com as described in the AIQ document does not disclose the above-emphasized claim language. Accordingly, the amended claim language is not rendered obvious.

Reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

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PATENT

The undersigned respectfully submits that pending claims are allowable and the application in condition for allowance. A Notice of Allowance is respectfully solicited.

Examiner Felten is invited to call the undersigned in the event a telephone interview will advance prosecution of this application.

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